IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF
ILLINOIS EASTERN DIVISION

DEMETRIUS JOHNSON	)	
	)	Case No. 20 CV 4156
Plaintiff,	)	
	)	Judge Sara L. Ellis
v.	)	
	)	Magistrate Judge Heather K. McShain
REYNALDO GUEVARA, et al.	)	
	)	
Defendants.	)	JURY TRIAL DEMANDED
	)	

DEFENDANTS' UNOPPOSED MOTION TO EXTEND EXPERT DISCOVERY AND
SUMMARY JUDGMENT BRIEFING SCHEDULE

Defendants, Reynaldo Guevara, Darryl Daley, Geri Lynn Yanow, as special representative for William Erickson (deceased), Ernest Halvorsen (deceased), John Healy (deceased), and The City of Chicago, together through their undersigned counsel, respectfully move this Court for an extension of time to complete expert discovery. In support of this motion, Defendants state as follows:

1. On January 16, 2023, this Court set a schedule for expert discovery as well as a briefing schedule on Defendants' anticipated motion for summary judgment. (Dkt. 204).

2. Subsequently, on February 27, 2023, Plaintiff sought additional time to provide his expert reports. (Dkt. 217).

3. Accordingly. on March 8, 2023, Plaintiff disclosed three expert witnesses; (1) Thomas Tiderington, a police procedures expert and *Monell* expert opining on evidence suppression; (2) Dr. Jennifer Dysart, an eyewitness identification expert opining on the identification procedures used in the criminal investigation; and (3) Dr. Nancy Steblay, a *Monell*

expert opining on the rate at which eyewitnesses made suspect identifications.

4.   Pursuant to the current schedule set in Dkt. 204, Defendants are to depose these experts by May 1, 2023.

5.   Although Plaintiff provided Defendants with dates of availability for the deposition of these expert witnesses, due to scheduling conflicts, including a myriad of expert depositions already scheduled and deadlines in other Guevara related cases, Defendants were simply unable to accommodate the dates proposed.

6.   The first available date for all Parties for Defendants to depose Mr. Tiderington is May 9, 2023, which has been confirmed. The Parties are working to finalize dates for Dr. Dysart and Dr. Steblay as well.

7.   Thus, Defendants request that the expert schedule for the remaining deadlines be extended as set forth below:

   a. 6/5/2023 – Defendants to depose Plaintiff's experts.

   b. 7/12/2023 – Defendants' expert disclosures due.

   c. 8/21/2023 – Plaintiff's to complete Defendants' expert depositions.

8.   Furthermore, this shift in the expert schedule requires the summary judgment schedule to be shifted as well. Accordingly, Defendants' request the remaining summary judgment schedule as set forth below:

   a. 9/20/2023 – Defendants' motion for summary judgment

   b. 10/20/2023 – Plaintiff's response to Defendants motion for summary judgment.

   c. 11/10/2023 – Defendants' reply in further support of their motion for summary judgment.

9.   Defendants have conferred with Plaintiff's counsel and they do not oppose this

motion or the adjustment to the schedule.

WHEREFORE, Defendants respectfully request that this Court grant this Motion and extend the expert discovery schedule and summary judgment schedule, as set forth above, and for any other relief as this Court deems just and reasonable.

DATE: May 1, 2023

Respectfully Submitted,

/s/ Eileen E. Rosen
Special Assistant Corporation Counsel for
Defendant City of Chicago

Eileen E. Rosen
Austin G. Rahe
Catherine M. Barber
Theresa B. Carney
ROCK FUSCO & CONNELLY, LLC
333 West Wacker Drive, 19th Fl.
Chicago, IL 60606
(312) 494-1000
erosen@rfclaw.com

/s/ Thomas M. Leinenweber
Special Assistant Corporation Counsel for
Defendant Reynaldo Guevara

Thomas M. Leinenweber
James V. Daffada
Megan McGrath
LEINENWEBER BARONI & DAFFADA,
LLC
120 North LaSalle Street
Suite 2000
Chicago, IL 60602
(312) 663-3003
thomas@ilesq.com

/s/ Josh M. Engquist
Special Assistant Corporation Counsel for
Defendant Individual Officers

James G. Sotos
Josh M. Engquist
Jeffrey Kivetz
David A. Brueggen
Carson W. Canonie
The Sotos Law Firm, P.C.
141 W. Jackson Blvd, Suite 1240A
Chicago, IL 60604
(630)735-3300
JEngquist@jsotoslaw.com